

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DWIGHT N. RODGERS,)
Plaintiff,)
v.) CASE NO. 2:06-CV-1067-WKW
CRACKER BARREL OLD COUNTRY)
STORE, INC.,)
Defendant.)

ORDER

By order dated April 11, 2007 (Doc. # 13), the opponent to any motion for summary judgment was required to file a response brief and any evidentiary submission within twenty-one (21) days after the filing of motion for summary judgment. On August 2, 2007, defendant filed a Motion for Summary Judgment (Doc. # 16) thereby giving plaintiff until August 23, 2007, to file his response. It has come to the court's attention that the plaintiff has failed to respond within the time allowed by order of the court. It is ORDERED that the plaintiff shall show cause in writing **on or before September 10, 2007**, why he should not be held in contempt for failure to comply with the order of this court.

DONE this 28th day of August, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE